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21 JUNE 1995

TO: OFFICE OF THE SECRETARY
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC, 20554

RE: CI DOCKET 95-55

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FROM: REG WHITE, MASTER MARINER
VICE PRESIDENT, OPERATIONS
PARADISE CRUISE, LTD., HONOLULU

SIR:

IN REGARD TO INSPECTING THE RADIO INSTALLATIONS ABOARD SMALL PASSENGER VESSELS:

1. THE SURVEYORS OF THE VARIOUS CLASSIFICATION SOCIETIES ARE NOT NORMALLY FCC LICENSED TECHNICIANS. 'NUF SAID!
2. HAVE THE FIVE YEAR RADIOTELEPHONY SAFETY CERTIFICATE VALIDATED BY ANY TECHNICIAN HOLDING A FIRST CLASS COMMERCIAL RADIOTELEPHONE LICENSE.

IN ORDER TO PREPARE FOR THE PRESENT FIVE YEAR INSPECTION WE FIRST MUST RETAIN AN FCC LICENSED TECHNICIAN TO VERIFY THAT OUR STATION IS WORKING WITHIN THE REQUIREMENTS, AND THEN WE ARE ADVISED BY THE COMMISSION THAT IT IS BEST TO FURTHER RETAIN THIS TECHNICIAN TO BE PRESENT WHILE THE FCC INSPECTOR IS ABOARD TO CHECK HIS WORK. WE ARE THEN CHARGED A SUBSTANTIAL USER FEE BY THE FCC FOR ALLOWING THE FCC INSPECTOR TO CHECK AND VERIFY THE FINDINGS OF THE PREVIOUSLY RETAINED FCC LICENSED TECHNICIAN, NAMELY, THAT OUR STATION IS PERFORMING WITHIN THE PRESCRIBED PARAMETERS. THIS IS THE VERY TYPE OF DUPLICATION OF EFFORT THAT THE PRESIDENT WISHES TO ELIMINATE BY HIS EXECUTIVE ORDER 12866 AND HIS MEMORANDUM FOR HEADS OF DEPARTMENTS AND AGENCIES OF 04 MARCH, 95, "REGULATORY REINVENTION INITIATIVE". THIS IS ALSO AN EXAMPLE OF THE "LAYERING OF EXPENSE" THAT IS MENTIONED IN BOTH DOCUMENTS.

3. DO NOT DUPLICATE THE VERY WASTE WE ARE TRYING TO ELIMINATE BY INITIATING AN "OVERSIGHT" ROLE FOR THE FCC.

THE LICENSED FCC TECHNICIAN IS ALREADY SWORN TO UPHOLD THE LAWS OF THE LAND, AND IS, BY HIS LICENSE, DEDICATED TO THE PROPER OPERATION AND FUNCTION OF ELECTRONIC GEAR.

THE USCG ALREADY CHECKS TO SEE THAT ALL DOCUMENTS ARE CURRENT DURING THE REGULAR ANNUAL INSPECTION OF EACH VESSEL, AND THE CG INSPECTOR ALREADY REQUIRES A RADIO CHECK BE PERFORMED BY A LICENSED OPERATOR IN HIS PRESENCE TO PROVE THE OPERATION OF THE REQUIRED RADIOTELEPHONE EQUIPMENT. THE CG INSPECTOR CAN VERIFY THAT THE CERTIFICATE HAS BEEN PROPERLY SIGNED BY AN FCC LICENSED TECHNICIAN, NO VISIT BY THE FCC IS CALLED FOR.

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4. THE FCC HAS ALWAYS HAD THE RIGHT AND THE DUTY TO INSPECT ANY STATION AT ANY TIME, WITH OR WITHOUT REASON TO SUSPECT THERE MIGHT BE A VIOLATION. IT IS THIS CHANCE OF THE RANDOM CHECK THAT ASSURES THE GENERAL PUBLIC THE TECHNICIAN WILL NOT STRAY OFF THE PATH WHEN VERIFYING THE CONDITION OF SHIPBOARD GEAR. THIS SYSTEM IS NOT TOO FAR FROM THAT USED BY THE FAA IN POLICING THE MANDATORY MAINTENANCE OF PLANES.
5. GIVEN THE DEPENDABILITY OF TODAY'S ELECTRONIC GEAR AND THE INTEGRITY OF THE CORPS OF FCC LICENSED TECHNICIANS IN OUR COUNTRY, AND THE VERY REAL THREAT TO A SHIP OWNER'S LIABILITY IN THE EVENT OF FAILURE, THERE IS NO CAUSE FOR WORRY ABOUT THE CONTINUED SAFETY OF THE US FLEET WITH REGARD TO ITS INSTALLED ELECTRONIC GEAR.

REMEMBER, THIS IS A COMMUNICATION BASED SOCIETY. THE VERY RADIOTELEPHONES IN QUESTION HERE ARE IN DAILY USE BY THE CREW OF THESE VESSELS. ANY FAILURE IS IMMEDIATELY CORRECTED IN ORDER THAT THE CREW CAN CONTINUE TO OPERATE THE VESSEL, THEY DON'T WAIT FOR THE FIVE YEAR INSPECTION INTERVAL TO EXPIRE PRIOR TO MAKING REPAIRS OR REPLACEMENTS. INDEED, WAITING WOULD PUT THE OPERATION OF THE VESSEL IN VIOLATION OF ITS CG CERTIFICATE OF INSPECTION AND SUBJECT THE MASTER AND/OR OPERATOR TO SEVERE PENALTIES UNDER TITLE 46 CFR.

SINCERELY,



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NEWS

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June 9, 1995

FCC has issued a Notice of Inquiry concerning the inspection of small passenger vessels. The Commission is seeking comments that will allow us to streamline ship inspection procedures, remove unnecessary rules, improve service to the maritime community and preserve maritime safety.

Currently, the Communications Act of 1934 requires the Commission to inspect the radio installation of small passenger vessels once every five years. The Commission has recommended that the Communications Act be amended to permit the use of non-government organizations to conduct inspections on behalf of the FCC.

We are requesting comments on the following questions, regarding the use of the private sector to inspect small passenger vessels.

1. Should we **only** permit the use of a classification society (such as the American Bureau of Shipping) to conduct inspections?
2. What criteria, if any, should we use to authorize a private sector entity to inspect ships on behalf of the Commission?
3. Should the Commission be involved in an oversight role in the inspection process?
4. Should we conduct random inspections?
5. To what extent, if any, will privatization effect safety?

Submit your comments by July 18, 1995 to the Office of the Secretary, Federal Communications Commission, Washington, DC 20554. Reference CI Docket 95-55. If you have any questions, contact Annette Platt at (808) 677-3318.